IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 23RD MARCH 2007 / 2ND CHAITHRA 1929

OP.No. 23412 of 2001(K)

PETITIONER:

SANTHAKUMARI, W/O.RAJAPPAN,
SANTHIPURAM, NALUPURAYIL HOUSE,
KARUKACHAL, KOTTAYAM DIST.

BY ADV. SRI.N.RAGHURAJ
SMT.K.AMMINIKUTTY

RESPONDENTS:
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1. THE DEPUTY TAHSILDAR(RR), TALUK OFFICE, CHANGANACHERRY.

2. THE DISTRICT COLLECTOR, KOTTAYAM.

3. THE VILLAGE OFFICER, KARUKACHAL, KOTTAYAM DIST.

4. THE ASSISTANT EXCISE COMMISSIONER, PALAKKAD.

5. THE COMMISSIONER OF EXCISE, TRIVANDRUM.

6. STATE OF KERALA, REP. BY SECRETARY TO GOVERNMENT, DEPARTMENT OF TAXES, SECRETARIAT, TRIVANDRUM.

BY GOVERNMENT PLEADER SMT.SMITHA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 23/03/2007, THE COURT ON 23/03/2007 DELIVERED THE FOLLOWING:

ORDER ON C.M.P. NOS.38412/2001 & 18777/2002 IN O.P. NO.23412/2001

DISMISSED:

23.3.2007 SD/-(C.N.RAMACHANDRAN NAIR, JUDGE.)

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF THE NOTICE DT.2.12.98 ISSUED BY R1.

P2: TRUE COPY OF PROCEEDINGS OF R4 DT.20.12.99.

P3 SERIES: TRUE COPY OF THE RECEIPTS ISSUED FROM THE VILLAGE OFFICE, CHANGANACHERRY.

P4: TRUE COPY OF DEMAND NOTICE DT.11.1.2001.

P5: TRUE OCPY OF NOTICE DT.11.7.2001 ISSUED BY R1.

P6: TRUE COPY OF CERTIFICATE ISSUED BY TAHSILDAR, CHANGANACHERRY DT.26.7.2001.

P7: TRUE PHOTOCOPY OF THE ORDER IN CMP NO.25662/2001 IN O.P. NO.16262/2001 DT.29.5.2001.

RESPONDENT'S EXHIBITS:

R6: TRUE COPY OF LETTER DT.5.8.2000 ISSUED BY THE JOINT EXCISE COMMISSIONER.

TRUE COPY

P.A. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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O.P. No.23412 of 2001

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Dated this the 23rd day of March, 2007.

JUDGMENT

Since the issue raised i.e. demand of interest on transport fee of toddy is covered by Division Bench judgment in W.A. No.1027/2005, this O.P. is disposed of following the said judgment and with the same observations, findings and directions as contained in that judgment.

C.N.RAMACHANDRAN NAIR
Judge

pms